



**An Roinn Talmhaíochta,  
Bia agus Mara**  
Department of Agriculture,  
Food and the Marine

## **ER1 Information Note**

for herd number applications and changes for  
cattle, sheep or goats

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# 1. General Information

- (1) The ER1 application form is available to download using the QR code, or by clicking the link below.

[gov - Apply for a flock or herd number \(www.gov.ie\)](http://www.gov.ie)



- (2) Further information about the threat of bovine TB to your herd including videos, leaflets and podcasts are available at [www.bovinetb.ie](http://www.bovinetb.ie)



- (3) This guidance note is for those applying for a herd number for the first time, adding a new person / entity to an existing herd number, or changing a herd number to a farm partnership or to a limited company. This is for information purposes only and it is not a legal document.
- (4) A herd number is allocated by the Regional Veterinary Office (RVO) of the Department of Agriculture, Food and the Marine, to a distinct epidemiological unit, on a holding for the purpose of administering the Bovine TB Eradication Programme under S.I. No 58 of 2015.
- (5) A herd number issued by the Department, does not infer ownership of lands or any animals on any party. Thus, the person in whose name the herd number is registered, may or may not be the legal owner of the animals held under that herd number.
- (6) An applicant for a herdnumber is a legal or a natural person over 18 years of age.
- (7) A herdkeeper must be a natural person over 18 years of age.
- (8) If a Herdowner wishes to nominate a new Keeper, the ER1 must be completed by the Herdowner and signed by both the Herdowner and the Keeper. DAFM RVO must inform the existing herd keeper of the change.
- (9) Where a Herdowner/ Keeper, joint Herdowner dies, the representatives of the estate should contact the Inheritance Unit by telephone on (057) 8689995 or email [inheritance@agriculture.gov.ie](mailto:inheritance@agriculture.gov.ie) as soon as possible. The representative of the estate should also arrange for an ER1 form to be completed by their nominated keeper as soon as possible.
- (10) Changes to herdowner(s) may affect payments/schemes that have already been applied for or approved (e.g., BISS, TAMS, Forestry etc), and further payments may be due. Please consult individual schemes /advisors for information.
- (11) If entitlements for Department schemes are to be transferred, then the transferor and transferee must apply to transfer entitlements by completing an online Transfer of Entitlements application through your online AgFood.ie account.

## 2. Legal Definitions

(1) Under the Animal Health and Welfare (Bovine Tuberculosis) Regulations 2015

(S.I. No. 58 of 2015) Part 2, Registration of a Herd, Section 3:

- (1) “A person shall not own or keep a bovine, unless the bovine—
- (a) is part of a bovine herd that has been registered with the Minister and the Minister has assigned a herdnumber to that herd, and
  - (b) is identified in accordance with the animal identification regulations.
- (2) (a) Subject to subparagraph (b), a person shall not keep an animal susceptible to tuberculosis on a holding that is used primarily for farming purposes unless all such animals on the holding are contained in the same epidemiological unit and have the one herdnumber.
- (b) An animal susceptible to tuberculosis in subparagraph (a) does not include porcine animals.
- (3) (a) A person who intends to establish a new herd shall apply to the Minister for registration of the herd and herdnumber and supply such information as the Minister may reasonably require, including nominating a keeper for the herd.
- (b) The Minister may refuse an application for registration of a herd where-
- (i) A person is disqualified under section 58 of the Act,
  - (ii) The Minister is of the view that the person is unsuitable to be a herdowner or keeper due to age, infirmity or ability to ensure the health or welfare of the animal, or
  - (iii) The Minister is of the view that the herd does not constitute a separate epidemiological unit.

(2) Part 1 – preliminary of S.I. No 58 of 2015 includes the following definitions,

- “epidemiological unit” means a number of animals (whether owned by the one person or otherwise) that are held, kept or handled in such a manner that they share the same likelihood of exposure to bovine tuberculosis and the control of the spread of infectious disease from the unit can be facilitated.
- “herdnumber” means the number assigned to a herd under Regulation 3.

- “herdowner” means a person who has a beneficial interest in a herd and has registered that interest in accordance with Regulation 3(3) (a).
- “holding” means any establishment, construction or, in the case of an open-air farm, any place in which bovines are held, kept or handled.
- “keeper” means a natural person who is registered as the keeper of a herd and who is, irrespective of ownership, responsible for the day-to-day care and welfare of the herd.

(3) Under the Animal Health and Welfare Act 2013: Part 8 - Enforcement:

37.— (1) The Minister or an authorised officer of the Department may for the purposes of enforcing this Act or an EU measure, appoint in writing such persons or classes of persons as he or she considers appropriate to be authorised officers for the exercise of all or any of the functions conferred on an authorised officer under this Act specified in the appointment.

### 3. Holding Requirements

(1) The principal requirements listed below are assessed by the RVO before a herd number may issue. In seeking to facilitate disease control/eradication and to prevent disease transmission, these conditions include that the individual herd in question must fulfil the following criteria:

- (a) That the herd exclusively occupies a defined holding.
- (b) That there are separate entrances to the holding and that there is independent access and/or a right of way to all parcels of land.
- (c) That entry points onto other adjoining holdings/lands, not part of the application, are permanently blocked.
- (d) That perimeter fencing must be permanent and stock-proof to prevent direct contact between stock on contiguous or adjoining holdings.
- (e) That there is suitable and adequate animal housing available for the numbers and types of livestock on the holding
- (f) That the holding must have independent and separate facilities for the purpose of inspection, loading, unloading and marshalling of animals. This includes a cattle crush with a non-slip concrete floor and sculling gate, and/or sheep/goat handling facilities. Sharing of facilities with other holdings is not permitted.
- (g) All construction materials used must be suitable for cleaning and disinfection.

- (h) Lighting facilities must be of a standard that always permits viewing and observation of animals.
- (i) There must be a permanent water supply and appropriate feed for the category of livestock on the holding.
- (j) Slurry, farmyard manure and wastewater facilities should be suitable to avoid environmental contamination.
- (k) The holding must have suitable isolation facilities for sick or injured animals. These must:
  - be a permanent independent structure with solid foundations.
  - have non-slip concrete floors.
  - have covered shelter.
  - be proximal to an animal handling facility.
  - have adequate separation from the rest of the herd.
  - have adequate lighting.
  - have dry comfortable bedding.
  - have a permanent water supply.

(2) Please note the holding facilities must be maintained and upgraded to reflect the current and future livestock numbers. You must notify DAFM of any material changes regarding the herd or holding which may affect the existing approval for any herdnumber granted under the regulations. Where the entire holding is leased or rented, and the agreement expires, a new agreement must be submitted to DAFM within eight weeks after the expiry date of the outdated lease or rental agreement.

(3) That the herd forms a distinct epidemiological unit, i.e., it is not allowed to have animals under different herd numbers in the same holding or the same yard, even if in different fields on the farm or different sheds in the yard. Intermixing with other herds is prohibited.

(4) Please note that for disease purposes, any out farm may require a separate herd number.

## 4. Wildlife Activity

- (1) Fencing off badger setts, latrines, making water and feed troughs badger proof and securing feed stores and mineral licks will help reduce the risk of bovine TB. You can report badger activity on your farm to the Department by using our online badger activity app available from [www.bovinetb.ie](http://www.bovinetb.ie)

Please use the QR code to get direct access.



## 5. Required Documentation

- (1) Fully completed application form.
- (2) Map of holding i.e., Land Registry or Folio Number. Folio numbers must also be included on any lease/rental agreement.
- (3) Documents that show legitimate use of lands:

- (a) **Owned Lands:** Proof of registration with Land Registry is required i.e., Folio number(s) or Dealing number or Deed of Transfer (in the case of the deed of transfer – original document or a copy which has been certified to be a true copy of the original document).

If the ownership title is shared and only one of the owners is applying for the Herdnumber a release of interest letter (witnessed) is required from the other parties listed as owners on the Folio document.

- (b) **Leased Lands:** Original Lease or copy of lease which has been certified to be a true copy of the original document

### The lease agreement must: -

- Be signed by the owner(s) or their legal representative and at least one of the applicants and witnessed as appropriate.
- Include folio or title document to the lands
- Detail the term/duration of the lease
- All leases must be stamped by the Revenue Commissioners regardless of duration.
- A copy of the stamp duty receipt must be submitted.

- (c) **Rented /Conacre/Agistment (up to 11months):** Written proof that the agreement exists signed and witnessed by both parties. Proof of ownership (Folio number)

will be required. Applications that are submitted based solely on rented /conacre/adjustment agreements will be examined on a case-by-case basis.

- (d) **License Agreements:** Original license agreements between the landowner and the person to whom the license has been granted or a copy of the license agreement which has been certified by a solicitor, to be a true copy of the original document. Proof of ownership (folio number) will be required.
- (e) **Deceased Herd Owner:** Where a Herdowner/ Keeper, joint Herdowner dies, the representatives of the estate should contact the Inheritance Unit via telephone on (057) 8689995 or email [inheritance@agriculture.gov.ie](mailto:inheritance@agriculture.gov.ie) as soon as possible. The representative of the estate should also arrange for an ER1 form to be completed by their nominated keeper as soon as possible.

(4) In Inheritance cases, the Department may only deal with the Executors/Administrators or Solicitor acting on behalf of the estate.

- (a) **Keeper Role:** To assign a Keeper the Executor/Administrator or a Solicitor must submit a letter acting on behalf of the estate stating whom the role should be assigned to, accompanied by a will where it is available.
- (b) **Herdowner Role:** To assign a Herdowner role certified copies of the Will and the Grant of Probate or Grant of Administration are required. Where no Will exists, a copy of grant of letters of administration are required.

If the land ownership of the estate is shared and not all are applying for the Herdnumber, a release of interest letter (witnessed) will be required from the other parties listed on the will.

(5) If the ownership comprises of a company structure the following should be submitted:

- (a) A copy of a statutory company document showing the CRO number and a copy of the Company constitution.
- (b) The appropriate documentation at point 5.3 above must accompany an application for a herd number by a company.

(6) Amendment to herdowner details: Where an application is received to amend the ownership (individual, company) details i.e., the addition of a family member(s) or company. The applicant must complete the relevant sections of the ER1 form.



- (7) Please complete the Bank and Credit Union form for Agricultural Scheme Payments (DIR-CR-AGR-GDPR) to nominate the bank account to which direct payments will be made. The form is available to download at the following link or QR Code.

[gov - DIR-CR Bank Mandate Forms \(www.gov.ie\)](http://www.gov.ie)



## 6. Data Protection

- (1) The Data Protection Officer can be contacted at [dataprotectionofficer@agriculture.gov.ie](mailto:dataprotectionofficer@agriculture.gov.ie). For more information on Data protection, please visit [gov - Data Protection \(www.gov.ie\)](http://www.gov.ie) or use the QR code.

